

§ 2657.2 will be amended from its currently noticed form, to read:

“When, after the close of the evidentiary hearing and the filing of post-hearing briefs, the administrative law judge believes that the complexity or importance of the issues so warrant, the administrative law judge may require or permit the presentation of oral argument within 25 days after the filing of reply briefs. At least ten (10) days prior to the date set for oral argument, the administrative law judge shall serve a list of questions and/or issues which shall be addressed at the oral argument.”

§ 2651.1(e) will be amended from its currently noticed form, to read:

“Filing” means the act of delivery of a paper pleading to the Administrative Hearing Bureau. An original and four copies of each pleading shall be filed with the Administrative Hearing Bureau. A specific pleading may be filed ~~and/or served~~ by facsimile or electronic transmission only when authorized by the administrative law judge.

§ 2651.1(i) will be amended from its current form (not part of previous notice) to read:

(i) "Service" means to provide a copy of a pleading to every other party in the proceeding in conformity with California Code of Civil Procedure sections 1011 and 1013. When a party files a pleading, the party shall concurrently serve that pleading on all other parties in the proceeding.

All filed pleadings shall be accompanied by an original declaration of service in conformity with California Code of Civil Procedure sections 1011 and 1013. All served pleadings shall be accompanied by a copy of the declaration of service. An employee of a party may sign a declaration of service.

A specific pleading may be served by facsimile or electronic transmission when authorized by the receiving party.

A sample declaration of service form can be found in section 2623.9.

§ 2655.1(a) will be amended from its currently noticed form, to read:

The Department may include a discovery request with a notice of hearing. If it does so, w~~Within ten (10)~~ twenty (20) days following the service of a discovery request, the insurer shall deliver to the Department and any interveners copies of all items requested that meet the standards of discoverable items in Government Code § 11507.6, liberally construed. The insurer and any intervenor may also request discovery concurrently with the filing and service of ~~its~~ each party's initial

pleading. Alternatively, upon mutual agreement of all parties and interveners: 1) written documents may be converted into another mutually agreeable format, such as electronic or magnetic, and made readily available, or 2) a depository of original items may be used in place of delivery of copies, but the depository shall be open beyond regular business hours upon request of a party or intervener.

The written response to any discovery request ~~to the Department or any intervener~~ other than a discovery request served with the Notice of Hearing shall be served on the requesting party within ten (10) days of service of the discovery request. The ~~insurer~~ parties shall have an ongoing duty to produce additional items pursuant to whichever method is agreed upon as new items become relevant.

§2655.1(e) will be amended from its currently noticed form, to read:

Nothing in this section shall prohibit the administrative law judge, in appropriate circumstances, from ordering in camera inspection of documents or entering a protective order for documents not subject to California Insurance Code section 1861.07. Nothing in this section shall prohibit the administrative law judge from extending the time frame for discovery ~~when the interests of justice so require~~ for good cause shown.